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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/703,350	10/31/2000	Fuad Mehraban	10716-15 (CURA-90/P1891R1)	3065

7590 01/09/2003

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EXAMINER

NICKOL, GARY B

ART UNIT

PAPER NUMBER

1642

DATE MAILED: 01/09/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

***Notice of Non-responsive Election***

The reply filed on October 29, 2002 (Paper No. 16) is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant's response to the restriction requirement mailed 8-05-02 is non-responsive. Applicant's elected Group 308, claims 37-41, and 47-48 drawn to **isolated polypeptides**. Applicant's further elected to search the sequences corresponding to "SEQ ID NO:2". However, SEQ ID NO:2 comprises nucleic acids-not polypeptides. Therefore, the response to the restriction requirement is inadvertently non-responsive. Applicant should send a new response identifying the appropriate SEQ ID NO: corresponding to the isolated polypeptide. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD** (the time period which began on 08-05-02) **MAY BE GRANTED UNDER 37 CFR 1.136(a)**.

In no case may an applicant reply outside the **SIX (6) MONTH** statutory period or obtain an extension for more than **FIVE (5) MONTHS** beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Art Unit: 1642

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary B. Nickol Ph.D. whose telephone number is 703-305-7143. The examiner can normally be reached on M-F, 8:30-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Caputa can be reached on 703-308-3995. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3014 for regular communications and 703-308-4242 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196.

Gary B. Nickol, Ph.D.  
Examiner  
Art Unit 1642

GBN  
January 8, 2003

